

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

*****)
BANK OF THE WEST,)
Plaintiff)
v.)
KATHERINE BEESLEY,)
In Personam)
AND)
M/V DEFIANCE, her engines and)
equipment)
In Rem)
Defendants)

CIVIL ACTION NO.:
04 cv 10407 RGS

PLAINTIFF'S REPORT OF PROVIDING NOTICE OF ACTION

NOW COMES the Plaintiff, Bank of the West, in the above entitled action, by its attorneys, Holbrook & Murphy, and reports to the Court concerning its providing notice of this action pursuant to 46 U.S.C. § 31325 and Supplemental Rule C of the Federal Rules of Civil Procedure.

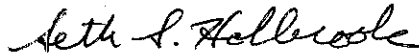
1. Notice was given to the owner of the vessel (and who was also the person in charge of the vessel) Katherine Beesley, by serving a copy of the summons and complaint on Ms. Beesley, who is also a defendant, on April 8, 2004.

2. Although not required under the statute, notice was also given to Beverly Port Marina, who alleges a lien on the vessel, by telephone and by facsimile dated April 6, 2004, a copy of which is attached hereto.

3. A review of the Abstract of Title, a copy of which is attached hereto, shows no other lienholders (other than the Plaintiff).

BANK OF THE WEST

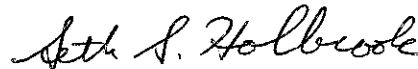
By its attorneys,



Seth S. Holbrook, BBO # 237850
HOLBROOK & MURPHY
150 Federal Street, 12th Floor
Boston, MA 02110
(617) 428-1151

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2004, a true copy of Plaintiff's Report of Providing Notice of Action was served by mail, postage prepaid, to the following people: Ms. Katherine Beesley, 60 Maverick St., Marblehead, MA 01945, and Mr. Marshall J. Handly, Handly, Cox & Moorman, P.C., 9 Abbott St., Beverly, MA 01915.



Seth S. Holbrook, BBO# 237850
Holbrook & Murphy
150 Federal Street, 12th Floor
Boston, MA 02110
(617) 428-1151

HOLBROOK & MURPHY

ATTORNEYS AT LAW
PROCTORS IN ADMIRALTY

150 FEDERAL STREET
TWELFTH FLOOR
BOSTON, MASSACHUSETTS 02110

TELEPHONE (617) 428-1151

FACSIMILE (617) 443-1696

FACSIMILE TRANSMITTAL SHEET

DATE: April 6, 2004

TO: Mr. Marshall Handly

FACSIMILE: 978-921-6655

RE: Katherine Beesley
1982 Wellcraft 38ft Scarab/Beverly Port Marina

FROM: Seth S. Holbrook

REMARKS: We refer to the above and your letter of April 6, 2004.

We expressly disagree with your assertion that the vessel was maintained at our direction in outside storage and the implication that our client is in any way responsible for storage charges and maintenance services to this vessel after October 24, 2003. Ms. Beesley was already storing her vessel at your client's facility.

Please find attached a courtesy copy of the Complaint that was filed in the United States District Court.

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET:

5

THIS MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US VIA U.S. MAIL.
THANK YOU.

658470

(Continued on inside back cover)

100

Chandrayaan-2

(4) _____

◆

(1) DEFIANCE

History of work

on appears by CE FORM 1261 DTD 4 MAY 83 ON FILE AT CLEVELAND OFFICE

[illegible]

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1332A (REV. 9-92)		GENERAL INDEX OR ABSTRACT OF TITLE CONTINUATION SHEET NO. <u>1</u>				OFFICIAL NO. 658470	
INSTRUMENT BS	% CONVEYED 100%	DATE 30 JUN 94	AMOUNT NA	BOOK BOX 5-94	PAGE 130		
FILED PORT CLEVELAND, OH		DATE 25 AUG 94	TIME 8:45AM	DATE TERMINATED NA			
GRANTOR JEFFREY KIRSCH							
GRANTEE JON R. PALASKY							
INSTRUMENT BS	% CONVEYED 100	DATE 5/31/00	AMOUNT \$10.00	BOOK 00-90	PAGE 251		
FILED PORT NVDC		DATE 7/31/00	TIME 7:20 AM	DATE TERMINATED ---			
GRANTOR Jon R. Palasky							
GRANTEE Coastline Marine Sales, Inc							
INSTRUMENT BS	% CONVEYED 100	DATE 6/1/00	AMOUNT \$10.00	BOOK 00-90	PAGE 252		
FILED PORT NVDC		DATE 7/31/00	TIME 7:20 AM	DATE TERMINATED ---			
GRANTOR Coastline Marine Sales, Inc							
Vessel HIN is: WELA8836M82C							
GRANTEE Katherine M. Beesley							
INSTRUMENT PM	% CONVEYED 100	DATE 6/2/00	AMOUNT \$47,491.25	BOOK 00-90	PAGE 253		
FILED PORT NVDC		DATE 7/31/00	TIME 7:20 AM	DATE TERMINATED ---			
GRANTOR Katherine M. Beesley							
GRANTEE Bank of the West P O Box 8160, Walnut Creek, CA 94596							
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> ISSUED AS AN ABSTRACT OF TITLE DATE: _____ TIME: _____ PORT: _____ PAGE _____ OF _____ </div> <div> <input type="checkbox"/> ISSUED FOR CHANGE OF PORT OF RECORD _____ DOCUMENTATION OFFICER </div> </div>							

PREVIOUS EDITION MAY BE USED

PREVIOUS EDITION OBSOLETE

U.S. Government Printing Office: 1992 — 312-673-0007

Page 2 of 3

50 7530-01-GP3-2260

DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD CG - 1332	GENERAL INDEX OR ABSTRACT OF TITLE Continuation Sheet No. 2	Official No. 658470
ISSUED AS AN ABSTRACT OF TITLE AS OF DATE: May 26, 2004 TIME: 08:00 AM		<u>LINDA UPPERCUE</u> NATIONAL VESSEL DOCUMENTATION CENTER